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PATENT



13017-3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

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|------------------|---|-------------------------------------|---|---------------------------|
| Applicants | : | GOELET, Philip <i>et al.</i> |) | Examiner: MYERS, Carla J. |
| | | |) | |
| Application No.: | | 09/258,132 |) | Group Art Unit: 1634 |
| | | |) | |
| Filing Date | : | 26 February 1999 |) | |
| | | |) | |
| Title: | | "Nucleic Acid Typing By Polymerase |) | |
| | | Extension of Oligonucleotides Using |) | |
| | | Terminator Mixtures" |) | |

Kalow & Springut LLP
488 Madison Avenue, 19th Floor
New York, New York 10022

14 October 2004

Mail Stop RCE
Commissioner for Patents
Post Office Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR 1.97(b)(4)

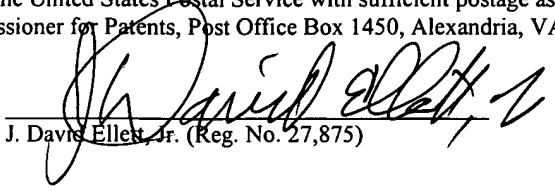
SIR or MADAM:

Pursuant to 37 CFR 1.97(b)(4), the attorneys for the applicants hereby bring to the attention of the Patent and Trademark Office the patents and publications broadly related to the field of the invention of the application identified on the accompanying Form PTO/SB/08. A copy of each of the items identified above is submitted with this statement with the exception of

Certificate of Mailing Under 37 CFR 1.8

I hereby declare that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, Post Office Box 1450, Alexandria, VA 22313-1450, on

14 October 2004
Date


J. Davis Ellett, Jr. (Reg. No. 27,875)

Applicant : GOELET, Philip *et al.*
Serial No.: 09/258,132
Filed : 26 February 1999
Page 2

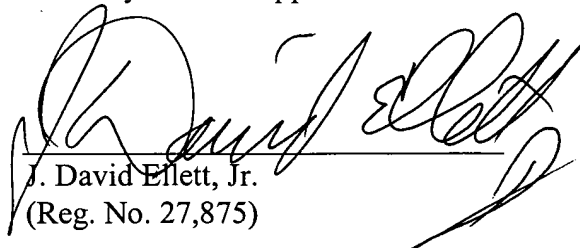
United States patent documents and items which are marked on Form PTO/SB/08 with an asterisk, copies of which will be provided shortly.

The attorneys for the applicants take no position on whether or not any item listed on Form PTO SB/08 constitutes prior art against the subject application under any particular provision of Title 35 of the United States Code.

The present information disclosure statement is being submitted simultaneously with a request for continued examination (RCE) of the application. A Notice of Allowance and Issue Fee Due was issued with respect to the subject application on 14 July 2004. Consequently, prosecution of the subject application is closed, as required under 37 CFR 1.114(b) for filing a request for continued examination. The time for payment of the issue fee for the application has been set for today, 14 October 2004. Consequently, the request for continued examination submitted herewith and the present information disclosure statement constituting a submission accompanying the request for continued examination as required under 37 CFR 1.114(a)(c) are being timely submitted with a certificate of first class mailing before abandonment of the subject application as required under 37 CFR 1.114(a).

Respectfully submitted,

Attorneys for the Applicants

By: 
J. David Ellett, Jr.
(Reg. No. 27,875)

Telephone: (212) 813-1600

Substitute for form 1449/PTO

PTO/SB/08A (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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| Application Number | 09/258,132 |
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| First Named Inventor | GOELET, Philip |
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| Examiner Name | MYERS, Carla J. |
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| Attorney Docket Number | 13017-3 |
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U. S. PATENT DOCUMENTS

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FOREIGN PATENT DOCUMENTS

| Examiner Initials* | Cite No. ¹ | Foreign Patent Document | Publication Date | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear | T ⁶ |
|--------------------|-----------------------|---|------------------|---|---|----------------|
| | | Country Code ³ *Number ⁴ *Kind Code ⁵ (if known) | MM-DD-YYYY | | | |
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| | | EP 0 336 731 A2 | 10-11-1989 | City of Hope | | |

| | | | |
|-----------------------|--|--------------------|--|
| Examiner Signature | | Date Considered | |
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Sheet 2

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| Application Number | 09/258,132 |
| Filing Date | 26 February 1999 |
| First Named Inventor | GOELET, Philip |
| Art Unit | 1634 |
| Examiner Name | MYERS, Carla J. |
| Attorney Docket Number | 13017-3 |

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| FOREIGN PATENT DOCUMENTS | | | | | | |
|--------------------------|-----------------------|---|--------------------------------|---|---|----------------|
| Examiner Initials* | Cite No. ¹ | Foreign Patent Document | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear | T ⁶ |
| | | Country Code ³ Number ⁴ Kind Code ⁵ (if known) | | | | |
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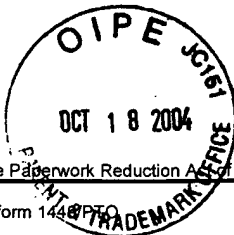
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| First Named Inventor | GOELET, Philip |
| Art Unit | 1634 |
| Examiner Name | MYERS, Carla J. |
| Attorney Docket Number | 13017-3 |

Sheet 3 of 4

NON PATENT LITERATURE DOCUMENTS

| Examiner Initials* | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T ² |
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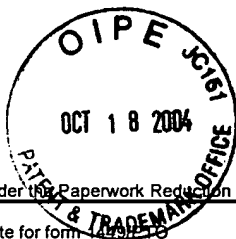
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Sheet 4

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Application Number

09/258,132

Filing Date

26 February 1999

First Named Inventor

GOELET, Philip

Art Unit

1634

Examiner Name

MYERS, Carla J.

Attorney Docket Number

13017-3

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